

Today, 126 years after the bones of the commercial slaughter were gathered for fertilizer, we Montanans deal with a wonderfully restored wildlife population that needs to be managed based on science rather than economic expedience. There is no science that supports legislating the number of permits issued for specific areas to be hunted - in this case Wilderness areas.

It is no surprise that commercial special interests have returned to the restored wildlife of Montana. It is well to remember however, they come to secure commercial advantage presenting no information or argument that the wildlife resource warrants an increased harvest. Thus, the only way the state managers of resident wildlife can accommodate the pressure is to reduce or restrict the opportunity now provided both resident and non-resident hunters.

SB 400 seeks to create a political allocation of hunting opportunity in favor of commercial interests and non-resident hunters. It thus compromises both scientific wildlife management of the wildlife resource; and, ultimately, hunting opportunity for resident hunters. It creates a new aristocracy of the hunt at a time, when it is more important than ever, to preserve the democracy of the wild. Please vote NO on SB 400.

THE SEVEN PRINCIPLES IN THE NORTH AMERICAN MODEL

From Pruckop and Regan 2002³

- 1 - WILDLIFE AS A PUBLIC TRUST RESOURCE
 - 2 - ELIMINATION OF MARKETS FOR WILDLIFE
 - 3 - ALLOCATION OF WILDLIFE BY LAW
 - 4 - WILDLIFE CAN ONLY BE KILLED FOR A LEGITIMATE PURPOSE
 - 5 - WILDLIFE AE CONSIDERED AN INTERNATIONAL RESOURCE
 - 6 - SCIENCE AS THE PROPER TOOL FOR DISCHARGE OF WILDLIFE POLICY
 - 7 - DEMOCRACY OF HUNTING
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Public Trust in Wildlife Conservation - Reference

Susan Horner, Embryo Not Fossil: Breathing Life Into the Public Trust in Wildlife, University of Wyoming Land & Water Review, Vol. XXXV No. 1 Laramie, WY 2000.

³ International Association of Fish and Wildlife Agencies, Wildlife Resources Policy Committee White Paper, prepared by Joanna Pruckop, New Mexico Department of Game and Fish/IAFWA and Ron Regan, Vermont Department of Fish and Wildlife; The Value of the North American Model of Fish and Wildlife Conservation: Approved and the IAFWA Business Meeting – Big Sky, Montana, September 21, 2002.

Montana 2011 Legislature: House Fish, Wildlife & Parks Committee
Testimony in Opposition to SB 400 4/7/2011
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A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE SALE OF 2,000 CLASS B-10 NONRESIDENT BIG GAME COMBINATION LICENSES FOR USE IN WILDERNESS AREAS; ALLOWING A WILDERNESS LICENSE TO BE SEPARATED INTO A B-11 DEER COMBINATION LICENSE AND AN ELK-ONLY COMBINATION LICENSE; AMENDING SECTION 87-2-511, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

I respectfully urge a NO vote on SB 400, an Act that authorizes sale of 2,000 non-resident elk and deer hunting licenses for use in Wilderness areas.

The opportunity we have to be hunters, has its root in the American Declaration of Independence. In an 1842 dispute the U.S. Supreme Court ruled:

"When the revolution took place, the people of each state became themselves sovereign; and the prerogatives ... which before belonged ... to the crown... , became immediately and rightfully vested in the state."¹ **In other words the king's deer started on the legal journey of becoming the people's game.**

The issue became more specific in a later case, where the U.S. Supreme Court held that this power held by the states:

"... is to be exercised, ... , as a trust for the benefit of all people, and not ... for the benefit of private individuals as distinguished from the public."² SB 400 is clearly a license allocation designed to benefit private commercial interests.

Wildlife management in North America went through some tough times between our Declaration of Independence and today. First, the commercial interests had their way with wildlife. In 1885 Theodore Roosevelt, ranching in North Dakota, wrote of a rancher who made a journey of 1,000 miles across northern Montana. Then TR wrote, "*... to use the ranchman's own words, I was never out of sight of a dead buffalo and never in sight of a live one.*" That level of decimation visited all species of wildlife that had commercial value. Montana was little more than a wildlife bone-yard.

American hunters then introduced our nation to the sporting code and the concept of conservation. One of the key components of the North American Model of Wildlife Conservation is that we all conserved and then we all shared the opportunity to hunt – equally and wildlife management was based on science not commerce.

¹ 41 U.S. 367 (1842).

² 161 U.S. 519 (1896).